



Virginia
Commission on Youth

Study of Juvenile Offender Re-Entry

July 7, 2010
Lindsey A. Strachan



Presentation Outline

- Study Mandate
- Study Activities
- Identified Issues
- Findings and Recommendations



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Study Mandate

The Commission on Youth will study juvenile offender re-entry in Virginia and report findings and recommendations to the Commission prior to the 2011 General Assembly Session.



➤ **Issues include:**

- ❖ The majority of juveniles entering Virginia's juvenile justice system have complex needs and are frequently involved in multiple service systems.
- ❖ In FY 2009, the Department of Juvenile Justice (DJJ) received 85,578 intake complaints, 16,626 new probation cases and 17,202 pre-dispositional placements. In addition, 2,677 juveniles were committed to DJJ.
- ❖ Virginia spends over \$100,000 per year to incarcerate one youth.
- ❖ Of the juveniles committed to DJJ, 65% have a diagnosed mental health disorder.
- ❖ The primary goal of successful community reintegration is for the juvenile to begin building a foundation for a successful and productive future and to not reoffend.



Study Activities

- Conduct extensive background and literature reviews
- Review federal legislation/statutes
- Review Virginia laws and regulations
- Analyze Virginia practices
- Receive information on Virginia's re-enrollment efforts in public schools
- Receive information on various pathways to re-entry
- Assess Virginia's existing aftercare services
- Examine potential funding sources

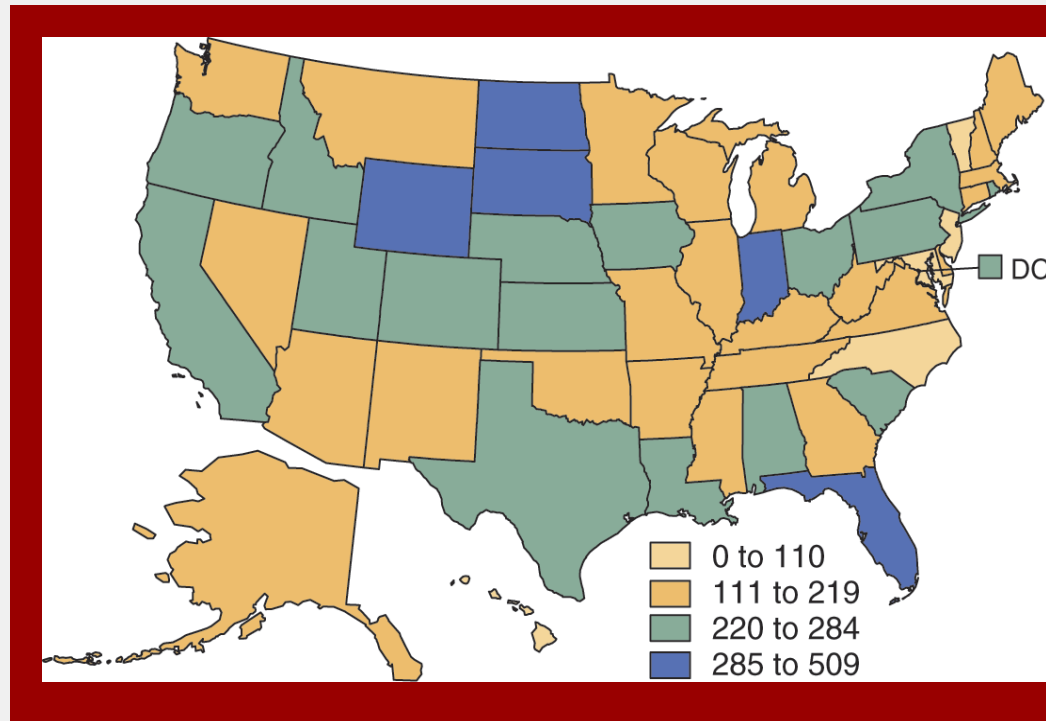


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National Problem

- No national recidivism rate for juveniles*
 - Average: 55% of juveniles released from incarceration are *rearrested* within on year of release*
- Calculations based on incarceration rates
 - Virginia ranks 28th in the nation in juvenile incarceration rates**

Juveniles Committed to Residential Placement Per 100,000 in the Population



Source: OJJDP: Juvenile Offenders and Victims: 2006 National Report. Chapter 7.

*OJJDP: Juvenile Offenders and Victims: 2006 National Report. Chapter 7.

**Table 12. Juvenile Incarceration Rate per 100,000. Every Child Matters Education Fund. Washington, DC. 2007.



Legislation

- No Child Left Behind (NCLB)
 - ❖ Highly qualified teachers
 - ❖ Transition services
 - Reception and Diagnostic Centers (RDC's)
 - ❖ Program monitoring and evaluation
 - ❖ Measuring youths academic gains and community re-entry
- Second Chance Act*
- Juvenile Justice and Delinquency Prevention Reauthorization Act (JJDPRA)
 - ❖ Legislation that governs federal funding for juvenile justice programming in the states
 - ❖ Authorizes the use of federal funds for re-entry services

*U.S. Senator Jim Webb Webpage. Webb Applauds New Law To Curb Nation's Recidivism Rate. April 2008.
http://webb.senate.gov/issuesandlegislation/criminaljusticeandlawenforcement/Second_Chance_Act.cfm



Pertinent Virginia Laws & Regulations

- Regulations Governing the Reenrollment of Students committed to the Department of Juvenile Justice
 - ❖ 8VAC20-550-10: Definitions
 - ❖ 8VAC20-660-20: Reenrollment plan components
 - ❖ 8VAC20-660-30: Reenrollment process and responsibilities
 - ❖ 8VAC20-660-40: Maintenance and transfer of the scholastic record
- Regulations Governing Mental Health Services Transition Plans for Incarcerated juveniles
 - ❖ 6VAC35-180-10 → 6VAC35-180-170
- Confidentiality and Student Records
 - ❖ FERPA
 - ❖ Juvenile Court → School Communication (§16.1-260G, §16.1-305.2, §16.1-305.1)
 - ❖ Scholastic Records (§22.1-289 (A), §22.1-287, §16.1-330.1)



➤ **Va. Code § 2.2-222**

- ❖ *A recidivist is a person who is found by a court to have committed, after being (a) placed on probation or (b) released from confinement, a delinquent or criminal act other than violation of probation or parole.*

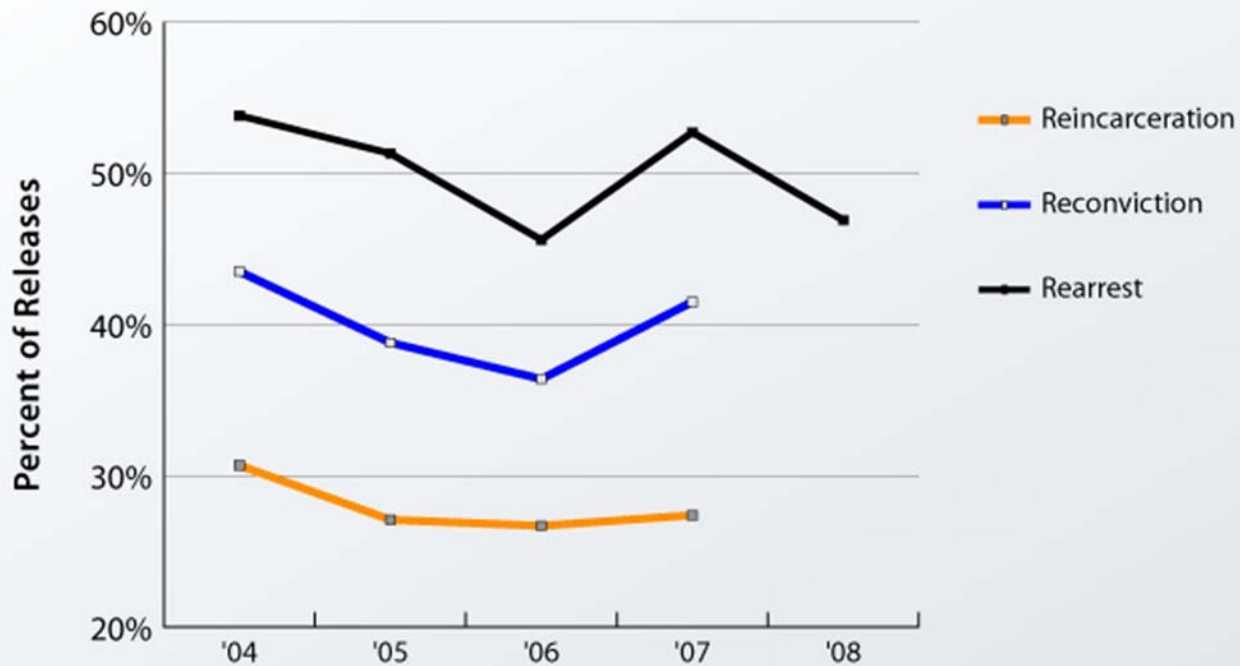
Twelve Month Reconviction Rates by Age, FY 2007

	JCC Releases			Probation Placements		
	<i>Total</i>	<i>Reconvictions</i>		<i>Total</i>	<i>Reconvictions</i>	
Under 12	0	0	N/A	75	17	22.7%
12	0	0	N/A	168	49	29.2%
13	3	0	0.0%	518	127	24.5%
14	13	4	30.8%	917	232	25.3%
15	65	29	44.6%	1,507	420	27.9%
16	156	61	39.1%	1,869	505	27.0%
17	270	106	39.3%	1,796	437	24.3%
18 or older	337	150	44.5%	255	69	27.1%
<i>TOTAL</i>	844	350	41.5%	7,105	1,856	26.1%



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Recidivism Within 12 Months of Release From a Juvenile Correctional Center

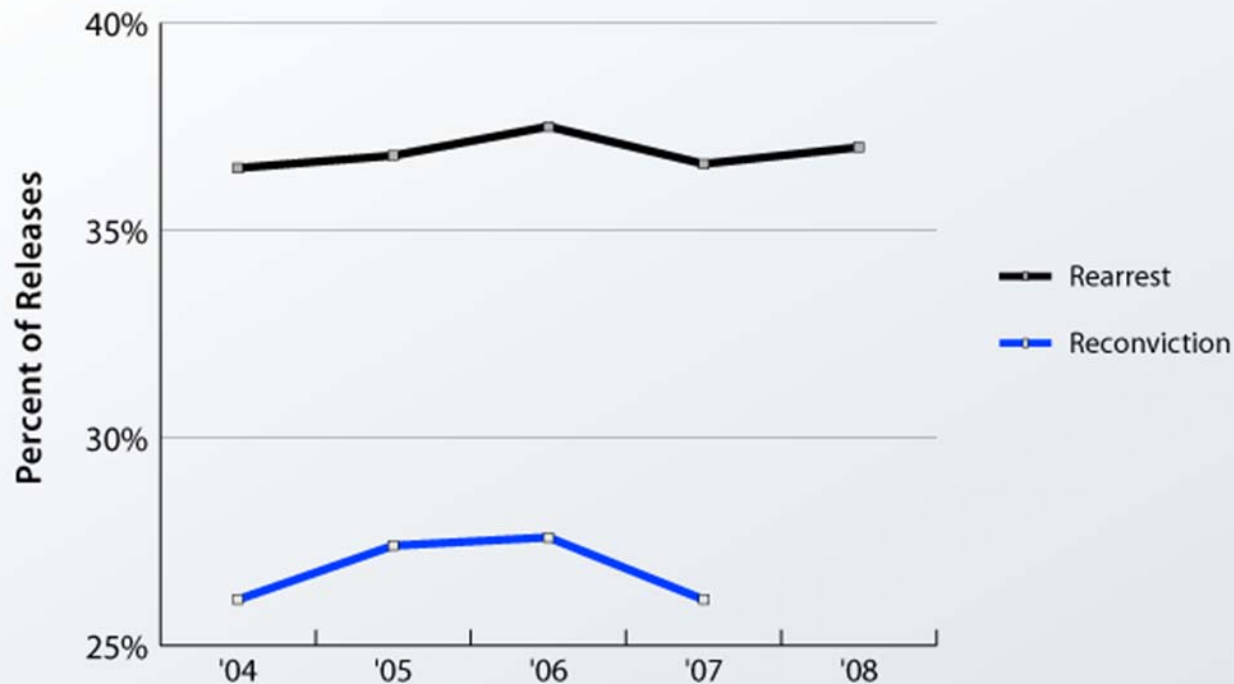


Source: Virginia Performs. Juvenile and Adult Recidivism. May 2012.
<http://vaperforms.virginia.gov/indicators/publicSafety/recidivism.php>



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Recidivism Within 12 Months of Release From Juvenile Probation



Source: Virginia Performs. Juvenile and Adult Recidivism. May 2012.
<http://vaperforms.virginia.gov/indicators/publicSafety/recidivism.php>




VIRGINIA POLICIES & PROGRAMS

- Statewide Prisoner Re-entry Coordinator
- Virginia Prisoner Re-entry Policy Academy
 - Project SOAR (Supporting Offenders After Release)
 - Life Skills Training
- The Department of Correctional Education (DCE)
- Virginia Correctional Enterprises
- 2-1-1 Virginia



MORE VIRGINIA PROGRAMS

- VA CARES
- New Vision Youth Services
- Diversion Programs
- *Virginia* RULES
- Virginia Community Re-entry Program
- Youth Industries Vocational Program
- Weed and Seed

Other Models	“Missouri Model”
<ul style="list-style-type: none"> ➤ New York and the Juvenile Re-entry Courts ➤ Re-entry Policy States ➤ California ➤ Models for Change* 	<ul style="list-style-type: none"> ➤ Small facilities ➤ Highly trained and motivated workers ➤ Case manager assigned to each youth ➤ Family engagement maintained ➤ Gradual transition programs ➤ Proven success

*MacArthur Foundation. Models for Change: Systems Reform in Juvenile Justice.

<http://www.modelsforchange.net/index.html>



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Office of Juvenile Justice and Delinquency Prevention's Categories of Re-entry Programs:

- 1. Employment and technical/vocational programs**
- 2. Day treatment programs**
- 3. Cognitive behavioral treatment**
- 4. Re-entry court**
- 5. Aftercare programs**



■ Components of Successful Re-entry Programs

- Pre-release planning
- Re-entry services in the communities where returning youth live
- Re-entry services must proactively address developmental deficits
- Focus on permanency and housing
- Access to mental health and substance abuse treatment
- Recognition of diverse needs of returning youth
- Structured school attendance, workforce preparation, and employment
- Better use of leisure time



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Sub-Issues & Barriers to Re-entry

Female
Offenders

Education

Mental
Health

Community
and Family

*“Most kids released from confinement fall into a void back home. Schools don’t want them, and probation officers can’t much help.”**

California Juvenile Justice Reentry Partnership. May 2007.

*Back on Track: Supporting Youth Reentry from Out-of-Home Placement to the Community. Youth Reentry Task Force of the JJDPC. Fall 2009.



Sub Issue: Female Offenders

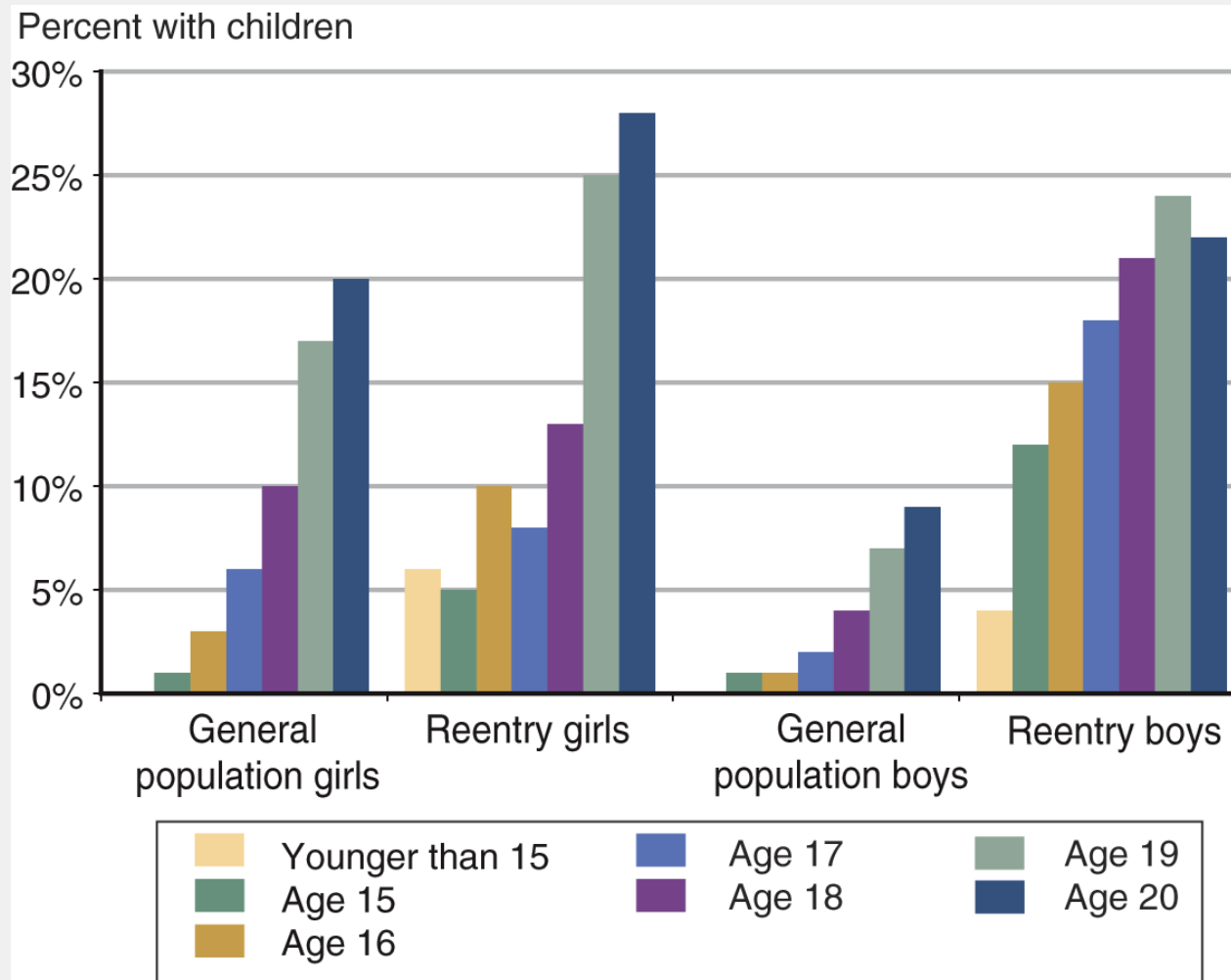
Girls in the Correctional System	FY05		FY06		FY07	
	Female	Male	Female	Male	Female	Male
Intake Cases	31.2%	68.8%	30.7%	69.3%	30.9%	69.1%
Probation Placements	26.5%	73.3%	25.4%	74.3%	24.6%	75.2%
Detention Center Placements	23.6%	76.4%	22.0%	78.0%	22.0%	78.0%
Committed Juveniles	9.9%	90.1%	9.1%	90.9%	9.2%	90.8%

“Compared to their male counterparts, female offenders come from lower socioeconomic backgrounds, suffer from mental health problems at a higher rate, and are more likely to have been sexually abused.”*



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Sub Issue: Female Offenders



Source: OJJDP. Juvenile Offenders and Victims: 2006 National Report.



Sub Issue: Education

- Truancy is often considered an indication of future delinquent and criminal activity.*
 - 48% of truants have a history of convictions, compared to 14% of non-truants (out of 400 youth).**
 - Chronic truants are 12 times more likely than non-truants to report to having committed a serious assault.**
 - Chronic truants are also 21 times more likely to report having committed a serious property crime.**
 - Chronic truants are 7 times more likely than non truants to be arrested.**
- More than half of youth in secure placements have not completed 8th grade and two-thirds of those leaving custody do not return to school.

* Virginia Commission on Youth. *Study of Truants and Runaways*. (1999).

** OJJDP. *Took Kit for Creating Your Own Truancy Reduction Program*. (2008).

Best Practices: School Re-entry

JustChildren*	CSMHA**
<ul style="list-style-type: none"> ➤ Inter-agency and community cooperation; clear roles and responsibilities ➤ Youth and family involvement ➤ Speedy placement ➤ Appropriate placement 	<ul style="list-style-type: none"> ➤ Linkages between all agencies involved ➤ Clearly defined roles and responsibilities ➤ Individualized wrap-around services ➤ Youth and family engagement ➤ Immediate transfer of records ➤ Pre-release training ➤ Pre-release transition plan ➤ Speedy placement ➤ Appropriate placement

*JustChildren, Legal Aid Justice Center. A Summary of Best Practices in School Reentry for Incarcerated Youth Returning Home. July 2006. <http://www.justice4all.org/files/Reenrollment%20--%2004%20Best%20Practices%20with%2006%20Preface.pdf>

**Center for Mental Health Analysis and Action. School Reentry of Juvenile Offenders. August 2006.



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Sub Issue: Mental Health

■ National Statistics

- More than half of incarcerated youth experience major depression and almost two-thirds report suffering from anxiety.
- Two-thirds acknowledge regular drug use.
- 66% boys & 74% girls in juvenile justice system meet the criteria for at least one mental disorder.
- As many as 70% of youth in the juvenile justice system have learning disabilities.

■ Relation to Re-entry

- Discharge without insurance coverage
- Trouble in social settings post confinement
- Lack of appropriate referrals for treatment



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■ Medicaid

- Federal law restricts use of Medicaid dollars on services provided to inmates of public institutions.
- States are advised to:
 - (1) establish a process so that the person can remain on Medicaid roll but states cannot claim Federal Financial Participation (FFP) for the services disallowed by federal law; and
 - (2) take whatever steps necessary to ensure that the individual can begin receiving Medicaid-covered services immediately upon leaving the institution.
- Virginia has recognized this barrier to successful re-entry.
 - ❖ The Department of Juvenile Justice was requested to examine ways to provide immediate access to Medicaid benefits for eligible offenders when they are released from prisons, jails, juvenile correctional centers or detention homes. (SJR 97, 2002).

Sub Issue: Community and Family

■ Housing

- ❖ Relationship between *homelessness* and the *juvenile justice systems*
- ❖ Nationwide, 46% of homeless youth have been in a correctional facility
- ❖ If *homeless upon re-entry*, youth are at higher risk of reoffending
- ❖ 1 in 4 youth released spent their first night in a shelter or on the street
- ❖ Cyclical

■ Contributing Factors

- ❖ Severe and unresolved conflicts with parents
- ❖ Abuse from parents
- ❖ Homeless parents
- ❖ Overcrowding
- ❖ Lack of rental history
- ❖ Income levels insufficient to afford market rate rent
- ❖ Criminal history
- ❖ Deficits in independent living skills





➤ **Sub Issue: Family**

- ❖ Many released youth return to families with severe internal conflicts and communities lacking in opportunities for positive youth development and employment.
- ❖ Some youth are precluded from returning to their family homes by policies prohibiting individuals convicted of drug offenses from residing in public housing.
- ❖ Tennessee: Family group conferencing

➤ **Sub Issue: Communities**

- ❖ Even though family reunification is ideal for youth upon release, sometimes it is best to remove the youth from high-crime neighborhoods.



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Finding	Recommendation
Virginia has no Re-entry Resource Guide for released juveniles.	<i>To be determined ...</i>
There is a strong correlation between the dropout problem and juvenile recidivism, where dropping out is typically an indicator of past or future delinquency.	
There is a lack of re-entry programs specifically aimed at female offenders.	
Nationally, 66% of the boys and 74% of the girls in juvenile justice system meet the criteria for at least one mental health disorder.	
A community support system is needed to ensure successful re-entry.	



Contact Information

Lindsey A. Strachan

Legal Intern

Virginia Commission on Youth

(804) 371-2481

lstrachen@vcoy.virginia.gov

<http://coy.virginia.gov>